

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

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SUZANNE M. KITAMURA;  
MCGRATH PROPERTIES, LLC;  
SUZANNE M. KITAMURA as  
Custodian for Dominique Angel  
Fumes, a Minor Child Born on  
12/13/1996,

JUDGMENT IN A CIVIL CASE

Case: CIVIL 12-00353-LEK-BMK

Plaintiffs,

V.

AOAO OF LIHUE TOWNHOUSE;  
RE3, LLC, REAL ESTATE  
SERVICES; WAYNE  
RICHARDSON; KAREN  
REBECCA SAKIMAE; PHILIP S.  
NERNEY; JOHN DOES 1-10;  
JANE DOES 1-10; DOE  
CORPORATIONS 1-10; DOE  
PARTNERSHIPS 1-10; DOE  
NON-PROFIT ENTITIES 1-10;  
and DOE GOVERNMENTAL  
ENTITIES 1-10,

Defendants.

[✓] **Decision by Court.** This action came for consideration before the Court.  
The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that JUDGMENT is entered as pursuant to and in accordance with the Court's Order filed March 29, 2013: The "ORDER GRANTING (1) DEFENDANT PHILIP S. NERNEY'S MOTION FOR PARTIAL SUMMARY JUDGMENT AS TO COUNT I AND TO DISMISS COUNTS III & IV OF THE COMPLAINT FILED JUNE 20, 2012; (2) DEFENDANT PHILIP S. NERNEY'S MOTION TO STRIKE CONCISE STATEMENT IN OPPOSITION TO MOTION AND MEMORANDUM IN OPPOSITION TO MOTION; AND (3) DEFENDANTS AOA OF LIHUE TOWNHOUSE, RE3, LLC, REAL ESTATE SERVICES, WAYNE RICHARDSON, AND KAREN REBECCA SAKIMAE'S SUBSTANTIVE JOINDER,"wherein:

- Summary Judgment as to Count I of Plaintiffs' Complaint is granted in favor of defendants Philip S. Nerney; AOA of Lihue Townhouse; RE3, LLC, Real Estate Services; Wayne Richardson; and Karen Rebecca Sakimae, and
- Counts II, III, and IV of Plaintiffs' Complaint are DISMISSED.

March 29, 2013

Date

SUE BEITIA

Clerk

/s/ Sue Beitia by AC

(By) Deputy Clerk